

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KIMBERLY PASSANANTI,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2008 CV 2803
)	
THE COUNTY OF COOK, ILLINOIS, a unit)	
of local Government, COOK COUNTY)	
SHERIFF'S DEPARTMENT, JOHN P.)	
SULLIVAN, in his individual capacity,)	JURY TRIAL DEMANDED
)	
Defendants.)	
)	
)	

**PLAINTIFF'S MOTION IN LIMINE #2
(TO BAR EXAMINATION OF WITNESSES THAT CALLS FOR SPECULATION,
GUESS OR CONJECTURE AND STATEMENTS OF BELIEF)**

Now come the Plaintiff by their attorneys, Andreou & Casson, Ltd. and move for an Order in Limine barring Defendants' counsel from eliciting or inquiring into matters which call for a witness to guess or speculate, and to provide a statement of belief without foundation. In support of this Motion, Plaintiffs state the following:

1. The Plaintiff, by her counsel, took the depositions of Alexis Herrera in December, 2009.
2. During the depositions, the witness and counsel inquired into matters calling for speculation, guesswork and statements of belief as to the budget process in the County of Cook and the state of mind of the third parties.
3. Such matters are irrelevant under FRE 402 and are inadmissible pursuant to U.S. v. Tanner, 941 F.2d 574 (7th Cir. 1991) and Garzarkiewicz v. Town of Kingsford Heights, 359 F.3d 933 (7th Cir. 2004).

WHEREFORE, Plaintiffs respectfully pray that this Court enter an Order in Limine barring counsel from inquiring or offering testimony which is speculative and calls for statements of belief without providing sufficient foundation.

Respectfully Submitted,

By: **/s/Luke A. Casson**

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